

PROB 12B
(7/93)*United States District Court*

for

FILED
Clerk
District Court*District of the Northern Mariana Islands***APR 18 2008****Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)**For The Northern Mariana Islands**
By _____
(Deputy Clerk)Name of Offender: **Norbert B. Camacho**Case Number: **CR 07-00007-001**Name of Sentencing Judicial Officer: **Honorable Alex R. Munson**Date of Original Sentence: **October 9, 2007**Original Offense: Count 1 - Conspiracy to Distribute a Controlled Substance, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) and 846
Count 2 - Distribution of a Controlled Substance, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

Original Sentence: Five months incarceration and five months of home confinement for both counts to run concurrently and three years of supervised release for both counts to run concurrently with the following conditions: the defendant shall not commit another federal, state, or local crime; the defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance; the defendant shall submit to a maximum of eight drug tests per month, as directed by the probation officer; the defendant shall submit to the collection of a DNA sample at the direction of the U.S. Probation Office; the defendant shall comply with the conditions of supervision as adopted by this Court; the defendant shall be prohibited from possessing a firearm or other dangerous weapon as defined by federal, state, or local law, or have such weapon where he resides; the defendant shall refrain from the use of all alcoholic beverages; the defendant shall participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol; the defendant shall also make a co-payment for the program at a rate to be determined by the U.S. Probation Office; the defendant shall participate in an anger management program as approved by the U.S. Probation Office and make co-payment for the program at a rate to be determined by the U.S. Probation Office; the defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without the approval of the U.S. Probation Office unless he is in compliance with the payment schedule; and the defendant shall provide the U.S. Probation Office access to any requested financial information. Additionally, the defendant shall pay a \$200 special assessment fee and a \$3,000 fine.

Type of Supervision: **Supervised Release**Date Supervision Commenced: **November 20, 2007****PETITIONING THE COURT**☐ To extend the term of supervision for _____ years, for a total term of _____ years.☒ To modify the conditions of supervision as follows:

The defendant shall write a two page letter explaining how his drug addiction may effect his family and the lives of his children. He shall read the letter in front of a group of his peers at a group counseling session of his choice no later than May 16, 2008.

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CAUSE

On March 18, 2008, Mr. Norbert Camacho reported to the U.S. Probation Office for quarterly drug testing and submitted to urinalysis. His test was presumptive positive for methamphetamine and amphetamine. He denied drug use and stated that he believed the medication he was taking for gout caused the positive result. The specimen was sent to the STL Laboratory for analysis. On March 24, 2008, Mr. Camacho was tested by Marianas Psychiatric Services (MPS) and again tested positive for methamphetamine and amphetamine. He denied use to MPS personnel and the specimen was packaged and sent for analysis.

On March 25, 2008, the laboratory analysis for the first specimen was received and it revealed that Mr. Camacho was positive for methamphetamine and amphetamine. He reported to the U.S. Probation Office later that same day and was confronted with the results. Mr. Camacho denied drug use and blamed the positive result on a mixture of medication he was taking for gout, to include Aleve, Advil, Valtaren, and Oxycodone (which was prescribed to his mother). He was instructed to bring all of his medication to the U.S. Probation Office the next day.

On March 26, 2008, Mr. Camacho returned to the U.S. Probation Office with several empty packets of Advil, Aleve, and Aspirin. He also had the Valtaren and Oxycodone pills he admitted to ingesting. Mr. Camacho was informed that no combination of the pills he presented would cause a "false positive" for methamphetamine and amphetamine. At that time, he admitted to smoking "ice" on March 16, 2008. The results of the second specimen have not been received.

Mr. Camacho has recognized that he has a drug addiction and is willing to do what he needs to do to overcome his problems and abide by his supervised release conditions. Immediately following his admission, he voluntarily began attending Alcoholics and Narcotics Anonymous meetings. MPS Counselor Cris Sablan has acknowledged a positive change in his attitude during counseling sessions and at support group meetings.

Mr. Camacho was returned to the beginning of the Drug Testing Phase System and continues to test negative during random drug tests. He has agreed to a modification of his release conditions to include that he prepare a two page letter explaining how drugs may effect his family and the lives of his children and to share the letter with his peers at a counseling session or support group meeting. Attached is a Waiver of Hearing to Modify Conditions (Prob 49) signed by Mr. Camacho.

Mr. Camacho has otherwise been compliant to his conditions. On December 4, 2007, he satisfied his \$200 special assessment fee. He continues to make payments towards his \$3,000 fine and has an outstanding balance of \$2,050. Mr. Camacho complied with the DNA collection requirement on February 20, 2008. He is currently on electronic monitoring and is scheduled to be released from home confinement on April 26, 2008. Mr. Camacho also reports to the U.S. Probation Office regularly as required.

Reviewed by:


CARMEN D. O'MALLAN

U.S. Probation Officer Specialist
Supervision Unit Leader

Date: 4/17/2008

THE COURT ORDERS

Respectfully submitted,



by: MELINDA N. BRUNSON

U.S. Probation Officer

Date: 4/17/08

- ☐ No Action
☐ The Extension of Supervision as Noted Above.
☒ The Modification of Conditions as Noted Above.

☐ Other Issuance of a: ☐ Summons ☐ Warrant


Alex R. Munson
Chief Judge
District Court of the Northern Mariana Islands

4-18-08
Date

United States District Court

U.S. District Court **District** Northern Marianas Islands

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- The defendant shall write a two page letter explaining how his drug addiction may effect his family and the lives of his children. He shall read the letter in front of a group of his peers at a group counseling session of his choice no later than May 16, 2008.

Witness:



Melinda N. Brunson
U.S. Probation Officer

Signed:



Norbert B. Camacho
Probationer or Supervised Releasee

4-16-08

Date